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What participation means in marine spatial planning systems? Lessons from the French case.

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Abstract: There is already a substantial body of literature examining the participation issues in Marine Spatial Planning (MSP). This paper addresses these issues in the French MSP process. Using qualitative materials, it examines the participation process from four perspectives: structural, contextual, organisational, methodological. It shows that public participation in the French MSP system is still mostly procedural. Also, in most other EU countries, participation is used as a tool for resolving conflicts about use of the sea as well as to build acceptability for marine renewable energy projects. Whatever the role participation plays, it requires a critical attention in MSP processes.

Keywords: Marine Spatial Planning, Participation, Stakeholders, Wider Public, Power

Introduction

In a context of fierce competition for space and of renewed issues (i.e., new uses, nature conservation), the trend to give more consideration to economic, social, and environmental issues has become more pronounced (Jay, 2010; Smith & Lalwani, 1992). In theory, Marine Spatial Planning (MSP) provides a framework for pragmatic and sustainable development, based broadly on a combined area-based and ecosystem-based approach (Douvere, 2008). This planning doctrine, which is commonly thought to have originated in the 1970s, has been gathering pace since the end of the 2000s, spurred on by international organisations such as UNESCO and the OECD (Blau &

Green, 2015; Trouillet *et al.*, 2011).

The influence of these organisations, coupled with demands from ‘new social movements’ (Bherer *et al.*, 2016; van Tatenhove & Leroy, 2003: 158), has helped establish participation in public policy making (especially environmental) as a contemporary norm in planning and development. Participation takes various forms, from public information –for instance, a public display– to self-governance (Arnstein, 1969). In the case of MSP, participation is intended to respond to a range of objectives (Gopnik *et al.*, 2012; Morf *et al.*, 2019; Pomeroy & Douvere, 2008), including:

- Improving understanding of the marine environment,
- Resolving conflicts over use,
- Incorporating a social dimension into maritime planning,
- Strengthening the acceptability of decisions in the eyes of users and communities.

When it comes to planning, maritime spaces are thus the scene of somewhat emerging or evolving practices. As an outcome, planning and participation paradigms, in various forms, are gaining ground around the world, combining the at times contradictory demands of economic development, environmental protection and participatory democracy in different ways (Trouillet, 2020). In view of this situation, this paper puts forward an analytical assessment of participatory MSP initiatives in France and then sets them within a European context. First, we outline the contexts in which participation and MSP initiatives are implemented and our hypotheses and questions regarding the challenges of participation. Then, we explain the methodological tools, namely, interviews in France and analysis of documents written about European MSP participatory processes. Lastly, we present the results of our

analysis of the French situation and compare them with situations observed in the wider European Union (EU).

Case-study and questions

‘Participatory’ management and planning of the French maritime spaces is leading by a legal and institutional framework. After presenting this framework, the field of hypotheses and research questions will be outlined.

Implementation

In Europe, the green (COM (2006) 275) and blue (COM (2007) 575) papers are prerequisites of MSP (Douve, *op. cit.*; Qiu & Jones, 2013). In regulatory terms, the Marine Strategy Framework Directive (MSFD, 2008) initially placed MSP firmly within the scope of environmental protection (Long, 2011), which in France, resulted in the development of ‘Action plans for the marine environment’ (Bouleau *et al.*, 2018). More recently, adoption of the directive on Maritime Spatial Planning (MSPD, 2014) has caused the socio-economic aspects of MSP to be reconsidered (Brennan *et al.*, 2014; Friess & Grémaud-Colombier, 2019). This directive is currently under implementation in France on two scales:

- Through overall objectives, set within a national strategy for the sea and the coastal zone and finalised in 2017.
- Through the development of strategic/spatial planning documents (known as *Documents Stratégiques de Façade – DSF*), to be finalised by 2021, which break this strategy down at a regional level (four designated coastal regions around mainland France).

For the purposes of the MSFD and MSPD directives, the French maritime areas were initially delineated according to the Marine Subregions (cf. International agreements such as UNCLOS, OSPAR, etc.). On the request of some local authorities however, the initial boundaries were redrawn to establish ‘*façades*’ (Figure 1). These *façades* are further divided into subzones defined by ‘maps of *vocations*’¹ (somewhat similar to zoning) which break the strategic objectives down into fine detail (AFB & CEREMA, 2017). Sometimes renamed as a ‘map of priorities’, this lays down the ‘purpose’ of a given space and, in some ways, fixes this for a set period.

Figure 1. Delineation of maritime areas in mainland France for MSFD and MSPD purposes (according to the French maritime borders claims).

Participation requirements are set out by Article 19 of the MSFD, Articles 9 and 10 of the MSPD, and by the INSPIRE directive (which enhances public access to environmental information). They recommend ‘informing all interested parties’ and ‘consulting the relevant stakeholders and authorities, and the public concerned’, by involving the network of ‘existing management bodies or structures’. This should also happen ‘at an early stage’. Consequently, the European framework for participation is poorly defined, and then open to a range of approaches (Ehler, 2020; Jay *et al.*, 2013; Kirkfeldt *et al.*, 2020).

In France, participation in MSP takes two main and complementary forms: ‘multi-college’ dialogue and public consultation. Multi-college dialogue involves collectively discussing and developing a plan for public policy –in line with the Grenelle model (Boy, 2010)– generally with input from the Government, local authorities, trade unions and employer organisations, and organised civil society. This

1

<https://cerema.maps.arcgis.com/apps/webappviewer/index.html?id=3a1cc8e6d52c4c4cb85fc8fe404f5f06> [Retrieved in December 2020]

five-body approach to governance is therefore a fundamental part of MSP at both national level (the *Conseil National de la Mer et des Littoraux* or CNML [National Coastal and Ocean Council], responsible for national strategy) and regional level (Conseils Maritimes de Façade or CMF [*façade* maritime councils], responsible for planning documents). Every CMF comprises around 80 people from these five colleges. In parallel, DSFs also go through a public consultation process which is based on two forms of participation: making information available online so that the public can submit their opinions, and regional workshops² (Figure 2).

Figure 2. Participatory approaches to MSP in mainland France.

Hypotheses and questions

After reviewing the literature, we developed an exploratory framework to analyse participation in the French MSP system. This framework sets out four fields of questioning and investigation: structural issues, contextual issues, organisational issues, and methodological issues. Our main hypothesis therefore is that the salient issues of participation lie within these four fields.

Firstly, the general aim of participation in MSP, at least according to the influential actors, is to build a rational consensus about a ‘marine problem’ (Ritchie & Ellis, *op. cit.*: 702; Twomey & O’Mahony, 2019), through discussion among stakeholders who hold heterarchical power (Corroyer, 2013; Jessop, 1998). Thus, examining structural issues means fundamentally questioning the above premise, specifically from the perspective of (i) the prevailing discussion process deployed to build consensus, including the management of conflict and (ii) the actual power

² <https://www.merlittoral2030.gouv.fr/> [Retrieved in December 2020]

stakeholders have, from identification of the maritime problem through to setting out new planning measures (Bennett, 2018; Saunders *et al.*, 2019).

Secondly, by extension, and more generally, it is about understanding both the objectives of participatory initiatives developed in EU and in France, and the international and regional variations in these approaches (Jay *et al.*, *op. cit.*; Kirkfeldt *et al.*, *op. cit.*). We therefore considered the contextual field from a geographical standpoint and complemented this with a temporal perspective. Indeed, we argue that the participatory process is conditioned by (i) locality, maritime to be specific (Brewer, 2017; Kidd & Ellis, 2012), but also (ii) a series of surrounding events and hazards.

Thirdly, we have also considered whether participatory approaches in MSP are characterised by organisational issues. Particular focus was therefore placed on (i) the architecture and (ii) the agency of French and EU participatory arenas –however formal– (Biermann cited by Stojanovic & Gee, 2020; Smythe & McCann, 2018). In other words, we have studied the networks formed by these arenas, the interrelations which unite them, and the way and capacity in which stakeholders take part in these arenas (Beuret *et al.*, 2006; Olsen *et al.*, 2014).

Finally, to complete our examination of participation in MSP, we considered the methodological field and its potential issues by studying (i) the overall geometry of participation exercises in France and in Europe and (ii) the means deployed – participatory or otherwise– to collect, process and convey information that could help to clarify, foster, and consolidate discussion (Gee *et al.*, 2019; Páez *et al.* 2020; Pınarbaşı *et al.*, 2017).

These four dimensions linked to each other will frame the results section.

Materials and method

Our research focuses on a set of issues which have arisen during the development of participatory processes in the MSP sphere, and more specifically during recent participatory initiatives for MSP in France and in Europe. The timing of our research coincided with finalisation of the first round of MSP documents (regional diagnosis and strategic vision, then spatial plotting of uses). This therefore serves as the perimeter of the case study conducted in France, which involved qualitative research in the form of interviews with participants. In parallel, a search of scientific and technical documents on other initiatives in Europe extended our learning.

Qualitative research through interviews

To examine the analytical framework, the interview part of the survey was organised in three stages:

- A preliminary stage with stakeholders involved in leading participation initiatives (multi-college dialogue or public consultation) either locally or nationally. These initial interviews prepared the groundwork for the analytical framework, particularly in relation to structural and methodological questions.
- The main body of the survey with maritime space users appointed by the CMF or CNML. These interviews gathered participants' accounts of implementation of MSP in France, and therefore provided the information entered in the fields on the grid.
- An open stage with other stakeholders who had contributed to writing DSFs or observed their development (local authorities, organised civil society, external experts, etc.). This final stage was curtailed by the COVID-19 pandemic but provided critical detachment from the survey results, nonetheless.

Furthermore, because of its strong exploratory nature, the study was based more on a principle of achieving a balance between representing a comprehensive range of stakeholder types and a diverse range of administrative *façades* than on a principle of socio-professional and geographical representativeness. To this end, stakeholders representing a large portion of the French maritime space, and a range of institutions and sectors, were approached. Of the 23 stakeholders and institutes contacted, 14 responded to the survey (Table 1). What emerges from this sample is that one group of respondents has firm historic roots (e.g., fishers, State services) in contrast to other stakeholders who represent newer actors and uses (e.g., offshore windfarm operators, local/regional authorities). Additionally, the study was initially based on consultation within the *façade* covering the northern Atlantic and western English Channel area (Nord-Atlantique-Manche-Ouest – NAMO). It was then expanded to all *façades* in France even though, factually, only the national scale and the *façade* for the eastern English Channel and North Sea (Manche-Est-Mer-du-Nord – MEMN) are represented.

Table 1. Socio-professional and geographical distribution of survey respondents.

Documentary analysis

The body of documentation –which was useful for viewing the case study conducted in France within a broader perspective of participatory practices in MSP in EU– comprised three categories of materials (for details, see Appendix 1). Firstly, the EU has a digital platform on MSP which lists initiatives throughout its territory (hereafter referenced as ‘see Country X profile’). Secondly, we conducted a literature review by querying several scientific search engines. This provided a sample of 15 articles (three for Portugal; two for Germany, Ireland, and the Netherlands; one for Belgium, Poland, Spain, Estonia, Romania, and Sweden) which were examined in depth. These articles

deepened our knowledge about some initiatives. Thirdly, the EU funds a raft of transnational MSP projects which have featured in published scientific reports. An inventory showed that seven of these reports discuss participation, either directly or indirectly, and so they were consulted. Taken together, these reports were of additional interest because they provide a situational analysis of participation for MSP in different study areas (e.g., countries on the Baltic Sea) and draw conclusions about experimental, participatory MSP initiatives (e.g., MSP Challenge).

Results: Salient issues in participatory initiatives in the French MSP

The analytical framework described above is revisited here to formalise results for the four fields studied (structural, contextual, organisational and methodological issues; see Figure 3). We recognise that these results are the outcome of ‘on the spot’ analysis of the French system, undertaken while the first generation of plans were still being finalised.

Figure 3. Analytical framework.

Structural issues

The interviews highlighted three key structural issues which played out during the consultation: the planning doctrine, the very essence of MSP and the various styles of participation.

When it comes to the planning doctrine, it appears that in France, participation is a relatively recent concept. It is concomitant with –if not attributed to– the rapid emergence of environmental questions in planning processes (Barbier & Larrue, 2011). Traditionally, the main purpose of participation was to embed a sense of social acceptability in major development projects (Blatrix, 2000). In a maritime context, it

follows that participation has gained ground through the main marine environmental protection programmes (e.g., Marine Protected Areas, MSFD), undoubtedly to the point of giving MSP its environmental prism. Hence, in the sphere of MSP, as in the broader planning sphere, there has been a paradigm shift in terms of democracy and the social dialogue between public, private, and third-party (i.e., the voluntary sector) stakeholders. In this system, the purpose of multi-college dialogue is to enhance the bilateral negotiation and state arbitration model, but not to replace it. Indeed, the State retains all decision-making powers. On the other hand, finding a consensus seems –on the face of it at least– to be an important goal in the participatory process for MSP. This consensus is conceived as having to be the outcome of repeated discussion with maritime stakeholders, leading to the creation of a planning document (i.e., the DSF).

By its very essence, MSP is based on a set of concepts and holistic approaches, such as the ‘socio-ecological system’, with the goal of incorporating economic, environmental, and social interests. However, although these concepts are discussed widely in the scientific literature (e.g., Gissi *et al.*, 2019; Noble *et al.*, 2019), they were neither defined, questioned, nor debated collectively in the participatory process analysed in the French case. Moreover, it is not easy to understand them or clear how they work in practice. They generally foster stakeholder engagement for two contradictory reasons: either because they make maritime development subject to ecological matters, or because they make it possible to incorporate environmental protection matters without hindering economic growth. Because of the interplay between stakeholders, and scientific restrictions (including methodological and epistemological), it became evident from the interviews that, in line with what has been observed more widely in Europe (Jones *et al.*, 2016; Trouillet, *op. cit.*), the French MSP system is more aligned with a soft sustainability logic. Its goal may be to link the

development of various economic activities and maritime environmental protection together, but it is also the instrument through which marine renewable energy is implemented, as evidenced by the national strategy (MTES, 2017). Therefore, in one way or another, DSFs and their ‘maps of *vocations*’ must help to identify new areas suitable for generating offshore energy, through discussion and forward planning.

As far as different types of participation are concerned, the interviews show that representatives for the fishing sector contribute regularly to consultation processes for two main reasons. Firstly, their extensive and ubiquitous links with maritime spaces are undermined both by changes in space allocation and attempts to (de)consolidate spatial use (primarily in the form of zoning systems). Additionally, their participation enables them to maintain their legitimacy to be involved in the MSP system as well as a negotiating power within it. Stakeholders in the marine renewable energy sector are also key players in political participation, maximising the acceptability and success of their projects through regular communication and by establishing the framework for projects with the network of local stakeholders. In comparison, local authorities appear to be distanced from consultation. The recent and limited decentralisation of maritime powers has not enabled local elected representatives to play a full role in maritime matters. This said, the absence of local elected representatives is often compensated for by the contribution of technical staff from the local authorities. Without being specific to MSP, this is really significant and gives a strong technical orientation to French planning (whereas the political dimension should be in the foreground). More generally, it also raises the question of who gets to be included in MSP and why, and beyond this how far the separation between land and sea remains.

Contextual issues

The interviews also drew attention to four contextual factors that influence participation: geographical subdivisions, acclimatisation of new stakeholders, the specificities of local arrangements, and hazards.

Stakeholders were not consulted about how the maritime space was divided into Marine Subregions and planning *façades* (in which DSFs are applied), and as an outcome these divisions have come in for criticism after the event for three different reasons: when a local authority's jurisdiction covered several Marine Subregions (this was corrected with the *façades*), when the delineation split a well-recognised terrestrial or maritime area, or in contrast, when terrestrial or maritime areas that present a conflictuality dynamics (political, cultural, etc.) were merged.

The maritime focus in planning was not always obvious to mainland or coastal stakeholders who risked being marginalised and ignored when they did not successfully 'acclimatise' to maritime peculiarities. Indeed, the interviews revealed that participation in the context of maritime planning is different from land-based participation in three main ways: the spatial scale to consider is more extensive; the web of stakeholders involved is more complex; and the sea and the coastal zone must be considered together.

Consultation, and consequently DSFs, have taken highly variable forms depending on the *façade*, expressed on two levels: through the method, insofar as each *façade* made different operational choices (see section on methodological issues); and through the interplay between stakeholders, as socio-institutional systems vary from one *façade* to another. This variability reflects localised structures and dynamics and specific local arrangements but also poses problems with positioning for national stakeholders, particularly energy companies.

Lastly, participation processes can be affected and even disrupted by social-political changes –or other hazards such as natural ones (however natural hazards have not been mentioned by interviewees)– within and external to the MSP process including: changes in government, local or national; changes of personnel within institutions and participating organisations; projects not included in the initial terms of the discussion being added to the agenda (e.g., the development of an offshore wind farm or extensions to the network of marine protected areas); the emergence of new demands from participants; and international uncertainties, of the Brexit type, which change the priority of discussions for the actors affected.

Organisational issues

The consultation process was also influenced by several interconnected organisational factors: the way in which various operational scales and formats fitted together; the existence of consultation arenas with links, in some form, to the MSP process; and the level and type of involvement participants had with the consultation process.

In France, MSP is coordinated by the government on two different levels which have their own corresponding consultation forums. At national level, strategy and methodology are specified under the aegis of the ministry responsible for the environment, in conjunction with the CNML; while at *façade* level, the DSF process is led by the *prefecture*, in conjunction with each CMF. At government level, consultation therefore takes place within the CNML and CMFs, but several other forums and subdivisions combining different degrees of consultation, preparatory work, and decision-making, can also be found under their umbrellas. In their full format, CMFs have a multi-college structure which is comparable from one *façade* to another. Essentially, using the Grenelle model (see Case-study and questions section), they have the role of

providing a forum gathering a wide range of stakeholders. However, in a limited format, CMFs are subdivided as follows: specialist working groups, a permanent committee (made up of a limited number of public and socio-professional stakeholders) and an administrative committee (comprising State services only). Although the first two prepare strategic direction and decisions, the management committee holds the decision power.

Additionally, there are parallel consultation arenas with their own outlooks and agendas, which also interact with the two-level consultation system led by the State. Firstly, some authorities (including some regional governments) have recently established their own consultation forums for maritime development (i.e., the regional sea and coastal conference in Brittany, the Pays de Loire regional assembly for the sea and coastline, and the Occitanie Parliament for the sea). When this was the case, interviews emphasised the many links with CMFs, even though their remits do not intersect (or do not completely intersect) with these regional initiatives. Also, local authorities overall have tools for initiating collaborative MSP processes. These generally take the form of planning documents, framed within their own participatory approaches such as: local sea-use plans (i.e., SMVM, SCOT³), regional planning documents (i.e., SRADDET⁴) and marine parks management plans. Through these processes, maritime stakeholders build knowledge-sharing networks which have reciprocal implications for DSFs. These more or less parallel initiatives can take strongly institutionalised forms, similar to, for example, the management committees for maritime natural parks. They can also be more informal whether they run on an ongoing basis (e.g., the local liaison unit for a marine renewable energy project) or an

3 SMVM: *Schéma de mise en valeur de la mer* ; SCOT: *Schéma de cohérence territoriale*

4 SRADDET: *Schéma régional d'aménagement, de développement durable et d'égalité des territoires*

ad hoc one (e.g., discussion about a limited restriction zone as part of a mining prospection programme). Although each of these initiatives pursues different goals (decision-making, acceptance, negotiation, etc.) and may prioritise the interests of one sector, they are obliged to consider multiple stakeholders and uses. Because of this, they are highly consistent with MSP participation procedures.

On a more individual level, the study suggests that the consultation process is influenced by the form of participation (or the mandatory choices). In theory, the multi-college structure of CMFs is designed to share political power between ‘traditional’ and ‘new’ stakeholders. In practice, colleges and stakeholders involved in the consultation process are not all organised in the same way, structurally or in terms of internal resources. Consequently, there are significant disparities in the level of participation representatives have. Overall, there are three types of representation: voluntary election (for non-profit organisations and unions); internal co-option (for industries); and professionalised (in the specific case of marine fishing and farming and the authorities, often in partnership with a professional or local elected representative). These different forms of eligibility for taking part in the consultation process result in participants being assigned one of two types of role: a technical role (for professionalised participants) or a political one (for elected representatives and stakeholders). Moreover, participants co-opted by an economic sector fall into one of two distinct categories (those who have training in consultation and those who have direct empirical experience of consultation) and therefore interact with the consultation process in different ways.

Methodological issues

Participation in MSP in France was also examined in relation to two methodological issues: mid-process methodological changes and ‘technical’ choices which were not

discussed.

Firstly, adjustments to the method have occurred during the process. The initial stages of implementing MSP should have involved setting the national strategy and a method for developing DSFs. However, these stages were slowed down by the difficulty encountered identifying which were the competent authorities. This difficulty was amplified due to government departments and agencies undergoing in-depth reform (e.g., Office français de la biodiversité, Centre d'études et d'expertise sur les risques, l'environnement, la mobilité et l'aménagement). *Façades*, which had started to work on DSFs before these powers had been allocated, and therefore before the MSP approach had been consolidated, had consequently to fulfil their own remits while incorporating new guidelines on appraising the current situation and setting strategic objectives (including a foresight dimension for 2030 and the 'map of *vocations*'). Because of this, the time dedicated to appraising the current situation was perceived by some observers to be too long compared to the time allocated for setting strategic objectives, possibly giving the impression that the diagnosis carried more weight than the strategy.

Furthermore, while the process of developing DSFs was already taking place as part of a multi-college dialogue, the public consultation was introduced as an add-on. Insofar as the initiative had not been designed in this way from the outset, this was likely to cause both political issues (concerns from actors within the CMF about the public possibly questioning their work) and methodological ones (doubts about the relevance of public debate, in the proposed format in any case).

Secondly, there were 'technical' choices which were not discussed. Appraisals of the current situation for each DSF used standardised methods based on SWOT analysis (Strengths, Weaknesses, Opportunities and Threats) and DPSIR (Driving forces, Pressures, State, Impact, Response). The SWOT analysis was used to draw up a list of

the main planning issues per overall development topic, namely: Activities and Uses; Marine and Coastal Ecosystems; Risk Prevention; Cultural and Scenic Heritage; Knowledge and Research. The DPSIR approach came in response to an ‘environmental turn’ of the MSP national policy in 2018. The results of the State’s and its departments’ application of these methods were then submitted to stakeholders. In other words, the State had a steering role in terms of producing data but also circulated and made provision for discussion of this information. Although these methods were deployed for their holistic and strategic input, they are only superficially analytical and appear to have been inadequate for setting policy on maritime planning within a revised democratic framework. Furthermore, like most environmental policies, French-style MSP is driven by indicators. These indicators are set nationally, with local level consultation taking place afterwards, led by the government’s regional departments. They describe ‘good ecological status’ and pose more challenges when it comes to describing ‘good social-economic status’. To expand on this point, socio-professional stakeholders are major producers of environmental data and activity data. In the context of the consultation exercise for the DSFs, it appears that this data was generally overlooked in favour of ‘official’ data. This can explain stakeholders’ limited engagement with the diagnostic process. Ultimately, by its nature, MSP involves a space-focused reflection. Incidentally, in France, the doctrine’s position between strategic and spatial planning is – beyond the surface – neither made clear nor, inevitably, discussed. State departments have chosen a very ‘spatial’ approach culminating in a ‘map of *vocations*’. When the national methodological guide consolidated this method (see AFB & CEREMA, 2017), contributors to regionalised consultation processes did not interpret or make use of it in the same way. For instance, the methodological guide does not clearly explain what a ‘*vocation*’ is, or even how one

“generalises issues” by “crossing map layers”. Therefore, it is not surprising that the results obtained differ from one document to another (e.g., more or less large vocation areas according to the documents). ‘Maps of *vocations*’ and their supporting explanations thus take variable forms from one *façade* to another.

The European context

A few weeks before the deadline for producing maritime plans (i.e., 31 March 2021), EU member states reported highly variable stages of progress (Figure 4). Although some –exceeding the MSFD and MSPD at times– had already produced several generations of plans (e.g., Belgium, Germany, the Netherlands), others were further behind (e.g., Croatia, Greece, Spain). Because of these discrepancies, the participatory doctrine for maritime planning has, in the main, been fine-tuned according to the individual member state, even though many participatory initiatives are inherited from earlier national and EU regulations (Suárez de Vivero & Rodríguez Mateos, 2012; Fidélis & Carvalho, 2015). In the main, they also tie in with the various land-based planning systems which coexist across Europe (Albrechts *et al.*, 2003; Reimer *et al.*, 2014; Janin Rivolin, 2017; Münter & Reimer, 2020). Additionally, the contrasts noted between different countries should also be considered in relation to the political and historical context in each state. Effectively, different contexts, such as young eastern European democracies (e.g., Bulgaria), decentralised countries (e.g., Spain) federal countries (e.g., Germany), or different ideological heritages (Socialist, liberal, social democracy), lead to many different participatory approaches.

Figure 4. State of progress with MSP in EU member states.

In this context, two key lessons can be drawn from a documentary analysis of participation in MSP in Europe. The first concerns participants and the second the scales of participation.

Participants

Although European law is not as binary, the body of documentation consulted shows that most EU member states –including France– make a clear distinction between two categories of participant in the MSP process: ‘organised’ stakeholders and the ‘general public’.

In the first case, the multi-college dialogue approach to drawing up national and regional development plans is a *leitmotiv* of participation. The overall and internal make-up of colleges can vary from country to country. For example, although environmental protection organisations play a role in all initiatives, this is mainly through non-profit associations (local or national) in Ireland, Romania, and France, or through foundations (national or international) in the Netherlands, Germany, and Latvia. In a similar vein, the WWF led a consultation exercise in Belgium which was given equivalent regard to the consultation led by the government (see Belgium profile). This same non-governmental organisation deployed more modest participatory approaches in Latvia, Estonia, and Finland (Pentz, 2012). As a different example, Latvia and Malta involve religious organisations in their participatory approaches to maritime planning (see Latvia and Malta profiles), even though these approaches are secularised elsewhere.

In the second case, the ‘general public’ was rarely described in the documentation consulted. It can, nonetheless, be deduced that most countries apply an extremely open definition of the public, particularly when it comes to initiating a

national consultation (e.g., see Netherlands and Portugal profiles). On the other hand, Estonia and Romania clearly identify coastal ‘inhabitants’ not associated with organisations as a group with a full role to play in participation (Tafon *et al.*, 2019: 162) through ‘local community’ initiatives (Văidianu & Ristea, 2018: 2). In France, beyond an indirect representation through local elected officials, ‘coastal populations’ are not considered as such but rather lumped in with the wider public in general. In other words, for marine planning purposes, no difference based on place of residence is made.

Scales of participation

Whether it involves organised stakeholders or the broader public, participation is coordinated on three scales, according to the circumstances: transnational, national, and regional.

At transnational level, participation goes beyond stakeholder and general public involvement to include cooperative arrangements between member states which aim to establish the bases for cross-border MSP. Countries on the Baltic coast, for example, are contracting parties to the Helsinki Commission (HELCOM) and the Committee on Spatial Planning and Development of the Baltic Sea Region (VASAB) (Schultz-Zehden & Gee, 2014). Hence, on both an *ad hoc* and a more regular basis, stakeholders representing maritime activities can play a role in collective initiatives (e.g., Horizontal Action Spatial Planning and Maritime Spatial Planning Working Group coordinated by HELCOM and VASAB). These initiatives are supplemented by a raft of EU projects, funded by the DG MARE, the European Maritime and Fisheries Fund and the European Regional Development Fund (e.g., BaltSpacePlan, Adriplan). These projects collect and disseminate stakeholders’ views and knowledge (see Greece profile). Participatory MSP

methodologies have also been trialled through such projects (*e.g.*, MSP Challenge, DeCyDe-4) (Fairgrieve, 2017; Henry *et al.*, 2019; Stavros, 2018).

At national level, it is clear that central governments are the main EU decision-makers when it comes to MSP, as the development strategies they implement set milestones applicable to maritime spaces in that country. Moreover, the specific ministries allocated responsibility for co-ordinating these strategies may give an indication as to the priorities of MSP (see Table 2). Indeed, national strategy never appears to be co-constructed. Instead, it would seem that it is discussed and amended in different formats which may be linked to a consultation. Examples include:

- Fairly formal hearings with organised stakeholders, but on a per sector basis (*e.g.*, Germany, Latvia, the Netherlands).
- A meeting of a national consultation body – whether environmental (*e.g.*, Belgium, the Netherlands) or maritime (*e.g.*, Ireland, France).
- National public debate (*e.g.*, Ireland, France, Poland).

Table 2. Ministries in charge of MSP through European Union

Moreover, within these national consultative structures (formalised or otherwise), the relative influence stakeholders have is taken as read. Hence, Portugal explicitly favours maritime fisheries whereas Latvia prioritises maritime transport and national defence (see Latvia and Portugal profiles). More often, the hierarchy of stakeholders, and therefore the uses they represent, is underlying. Although the MSFD promised a major conservationist focus, which included establishing the principle of ecosystem-based management (Jouanneau & Raakjær, 2014), it appears that in reality, the development of marine renewable energy has become broadly established as the dominant issue (for economic and climatic reasons) (Spijkerboer *et al.*, 2020). From this viewpoint, nature

conservation organisations have not achieved the degree of power they could have hoped for, to the advantage of energy project developers (Jay *et al.*, 2016). Somewhat paradoxically, policy on marine renewable energy development, which tends to create a bias in the MSP participatory process, is also the driver of consultation across Europe (Piwowarczyk *et al.*, 2019; Tafon *et al.*, *op. cit.*). This questions in depth the forms of participation, the roles of participation and the hierarchy between the objects of participation (and the underlying issues of power), and leads to a wider questioning of the narrative on and about participation.

Regional-level participation is in fact the preferred option in Europe, insofar as that it is at this level that stakeholders and the public play a fuller role in public decision-making. However, it appears that only two EU member states have a consultation forum on a level comparable to the French CMFs: Bulgaria, with the Black Sea Basin Directorate; and Finland, with the Regional Consultative Committee on Environmental Politics, even though the latter is not exclusively maritime focused (see Finland and Bulgaria profiles). The majority of member states do not have regional forums and favour participation either on an *ad hoc* basis in the form of multi-stakeholder public meetings as and when needed (see Denmark and Germany profiles), or on an experimental basis, by developing topical and possibly deliberative workshops, particularly at pilot sites (e.g., the island of Hiiumaa in Estonia, the Danube Delta in Romania) (see Romania profile; Tafon *et al.*, *op. cit.*).

According to the body of documentation consulted, in practice, participation in the EU takes on highly diversified forms, often in combination. It could be limited to the right to information (particularly in digital format), freedom of expression and protest (for media and organisations) (see Malta profile). At the other extreme, it could be the focus of co-construction initiatives (experimental or standardised), involving

socio-professional groups and public authorities, at all stages of the MSP process (usually: diagnosis, strategy, action plan, evaluation) (Calado *et al.*, 2010; see Spain profile). Ultimately, three forms of participation stand out as the most widespread across Europe:

- Nationally – hearings with representatives of maritime uses.
- Locally – topical workshops involving different stakeholder organisations.
- Information meetings for the general public.

Discussion and Conclusion

The purpose of this study was to investigate the question of participation in maritime planning, specifically by reviewing the experience in France of producing DSFs. For this investigation we used interviews and an analytical framework with four sections: structural issues, contextual issues, organisational issues, and methodological issues. Our review of the French MSP system was then considered in relation to approaches across the EU, based on analysis of a body of documentation. Although this study had an exploratory character, some illuminating lessons can be drawn.

Due to the regulation and political history of participation, both in France and the rest of the EU, participation in MSP broadly takes an environmental focus first and foremost before broaching a wider range of, primarily economic and spatial, topics in which the marine renewable energy issue seems to have finally taken precedence. The relative side-lining of environmental issues can partly be an artefact of the MSFD as well as of the Natura 2000 at sea policies, which have treated environmental questions both previously and separately. Conversely, it is also reasonable to think that the environmental issue has infused all the approaches, albeit with a functional or even

utilitarian conception of the environment. In any case, in comparison, social and cultural issues remain more marginal. Although the MSPD aspires to include these topics (this is also encouraged by international organisations), in France, this mainly means finding compromises between several interests, through an iterative discussion process involving stakeholders. On comparable, compromise-based lines, other EU member states use participation in planning as a tool for resolving conflicts about use of the sea. In this context, multi-college dialogue, in theory, places different uses on the same footing. In practice, there is a variation in the influence that colleges and therefore uses have. There is a prominent trend in Europe and France to prioritise marine renewable energy projects and therefore to encourage their acceptability through participation. For this reason, energy companies are a significant source of participatory approaches, and launch similar initiatives to those found in MSP. However, it is important to nuance the power that marine renewable energy stakeholders enjoy in the planning sphere by considering the influence of traditional stakeholders, starting with the State, followed by professional fishers and maritime transport. In contrast, the types of power of the different stakeholders are probably not similar; the former having the power to act on the form of planning itself and thus on the form of participation (e.g., marine energy sector), the latter having the power to act in the arbitrations within the planning process (e.g. fishers), even if local authorities appear to be distanced from participation. These different forms of power need to be better studied in order to understand how this affects participation and, ultimately, democracy.

Furthermore, when most EU member states have defined an exclusively national maritime planning strategy, or –preferably– have used this as the basis for an experimental, participatory planning process at local/regional level, France stands apart for having established a national scheme, rolled out through *façades* and based on a

systematic and prescriptive participation approach. Consequently, each *façade* has its own planning and participation itinerary, determined primarily by the geographical context and the way in which networks of regional stakeholders operate. We have also considered contextual issues from the maritime-centred perspective, arguing that this could pose increasing challenge for participation. We obtained some partial answers by drawing on accounts from energy companies involved in maritime and land-based consultations. From these, it emerges that the main difficulty lies in the challenges of identifying social and spatial factors.

By bringing the main users of maritime spaces together, extensively and at the same time, in order to draw up development plans, and then consulting the wider public, the French approach is somewhat unusual in Europe where some member states favour just one form of participation. However, the French approach does not appear to guard against two pitfalls. Although the conclusions of public debate are attached as annexes to the DSFs, it is not clear how these two procedures are integrated or what value public debate brings to participation in maritime planning. Also, given the way the consultation of the wider public was conducted, it is reasonable to state that it has been perceived as optional and not as intrinsically part of MSP. Furthermore, as public debate takes place online or through workshops at *façade* level, we assume that participants are self-selecting and that the debate is not conducted in a spirit of involving coastal communities.

Clearly, except the wider public, ‘maritime stakeholders’ in France can significantly engage in the development of DSFs through centralised, regional, and decentralised consultation arenas. Also, their level of engagement is variable as stated in this study. Nonetheless, stakeholder involvement is more about procedural and functional participation than about establishing a ‘maritime democracy’. We have

highlighted four explanatory factors: the failure to involve stakeholders in conceptualising and framing the maritime problem; planning on too short term a basis (2030); stakeholders with an elected mandate taking second place to technical personnel from the organisations represented; and the methodological preference for standardised instruments and ‘official’ data. More experimental MSP initiatives excepted, inappropriate instrument choice is also an issue elsewhere in Europe, despite the availability of a reasonable range of decision-making tools.

In France, as elsewhere in Europe and probably beyond, the future of the MSP system is still largely linked to its capacity to foster forms of participation that would not be mere procedural artefacts. To foster an in-depth participation, an important element would be at least to collectively define, question and discuss concepts at the core of MSP, such as “socio-ecological system”, and the environmental issue or the type of planning itself (e.g. more or less spatial or strategic). Because MSP was very new in many countries, one could now hope that the next developments of MSP will learn from the first round.

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Figure 1. Delineation of maritime areas in mainland France for MSFD and MSPD purposes (according to the French maritime borders claims).

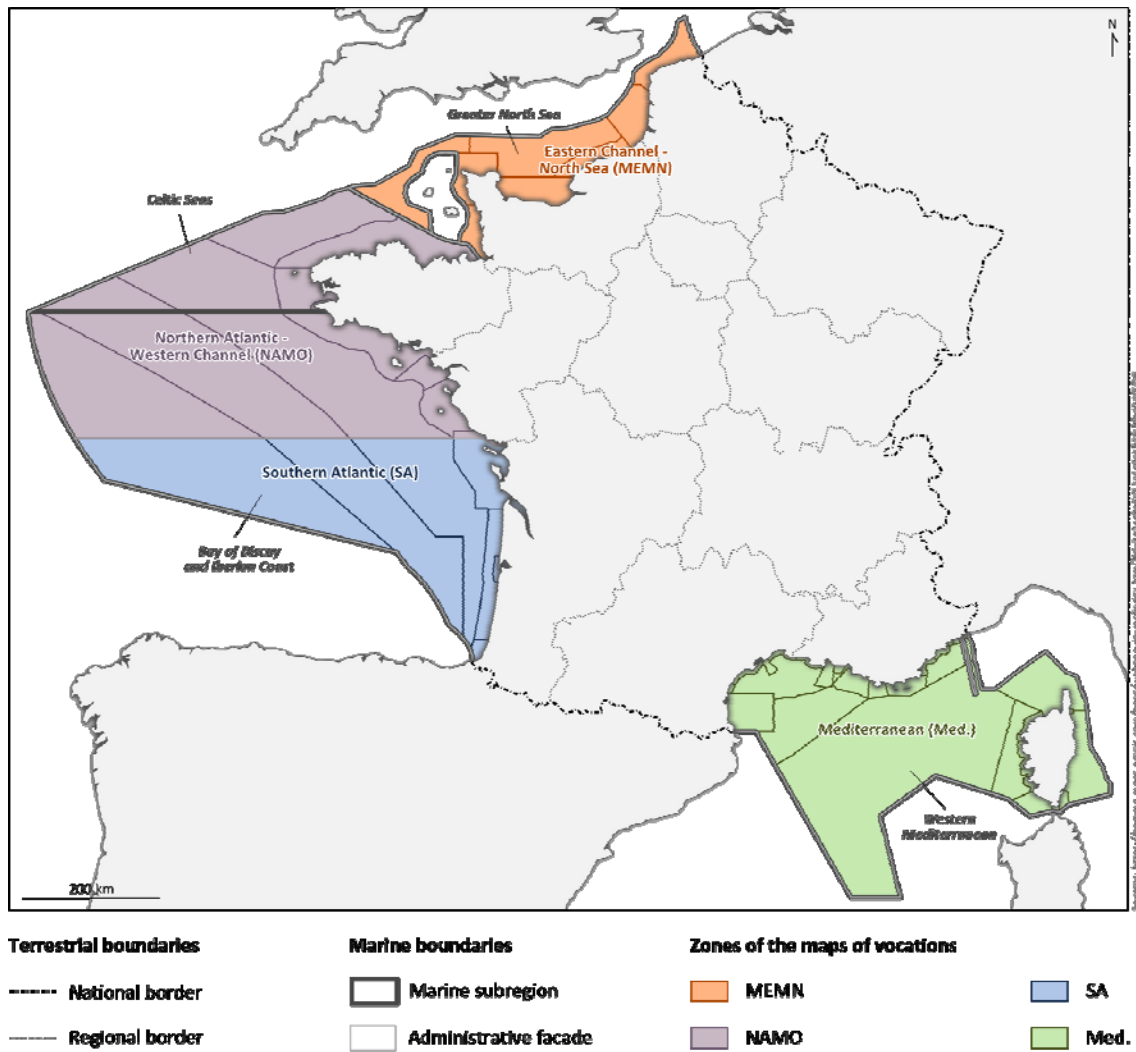


Figure 2. Participatory approaches to MSP in mainland France.

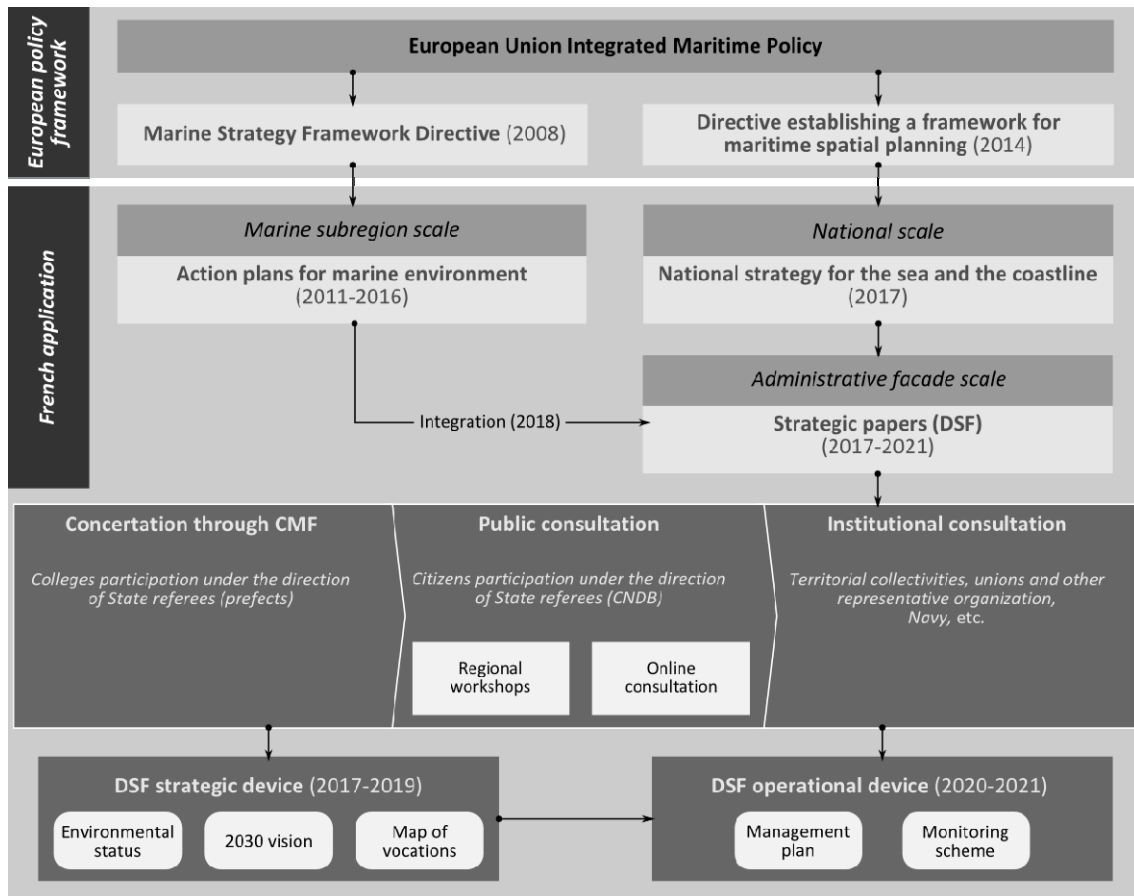


Figure 3. Analytical framework.



Figure 4. State of progress with MSP in EU member states.



MSP Progress by EU member state (November 2020)

(1st) Generation of the plan

In the process of approval or approved

In the process of public participation

Drafting

Non coastal state

Non European state

Source: European MSP Platform

Table 1. Socio-professional and geographical distribution of survey respondents.

Socio-professional type	Contacted	Interviewed
Preliminary stage		
State agencies and services	5	4
Main body of the survey		
Fisheries and aquaculture	7	3
Offshore energies	5	4
Marine aggregates	2	1
Shipping	1	0
Open stage		
Territorial authorities	2	2
Other (i.e., ‘qualified personality’)	1	0
Geographical type		
National scale	5	4
MEMN	6	3
NAMO	10	7
SA	1	0
Med.	1	0
Total	23	14

Table 2. Ministries in charge of MSP through European Union

Note: MSP is an interministerial responsibility in some cases. In some other cases, a Ministry is in charge of several fields of competence. Member States are then quoted in several cells of the table below.

Common designation	Member State	Total
Ministry of the Environment	Belgium, Denmark, Finland, France, Greece, Latvia, Lithuania, Romania, Slovenia, Spain, Sweden, The Netherlands	12
Ministry of Planning and Development	Bulgaria, Croatia, Germany, Ireland, Italy, Romania, Malta, Slovenia, The Netherlands	9
Ministry of the Sea	Cyprus, Poland, Portugal	3
Ministry of Energy	Denmark, Greece, Sweden	3
Ministry for Food	Belgium	1
Ministry of Industry	Denmark	1
Ministry of Economy	Denmark	1
Ministry of Finance	Estonia	1
Ministry of the Interior	Germany	1
Ministry of Transport	Italy	1
Ministry of the Administration	Romania	1

Source: European PSM Platform (<https://www.msp-platform.eu/msp-practice/countries>; accessed August 2020)

European MSP digital platform	Scientific articles	Scientific reports
<p>Country Information Profile pages; MSP Process overview page; Overview of MSP Authorities & Plans per Country page.</p> <p><i>NB: Every member state has a page which reports state of progress and practical implementation. For each member state, this page has several descriptive sections including, 'Public Participation' and 'Stakeholder Involvement'. These were consulted systematically for this study to extract information on the participatory methods deployed by member states:</i></p> <p>https://www.msp-platform.eu/msp-practice/countries [Retrieved in August 2020].</p> <p><i>In addition, information dealing with a countries overview has also been taken into account:</i> https://www.msp-platform.eu/countries-overview [Retrieved in December 2020].</p>	<p>Aschenbrenner & Winder (2019); Calado <i>et al.</i> (2010); Calado & Bentz (2013); Carr (2019); De Vrees (2019); Fidélis & Carvalho (2015); Flannery et Ó Cinnéide (2008); Gazzola <i>et al.</i> (2015); Jay <i>et al.</i> (2016); Karlsson (2019); Pecceu <i>et al.</i> (2016); Spijkerboer (2020); Suárez de Vivero & Rodríguez Mateos (2012); Tafon <i>et al.</i> (2019); Văidianu & Ristea (2018)</p> <p><i>NB: We extracted scientific articles featuring EU case studies on participatory MSP. The search has been done by keywords 'MSP' AND 'Name of member state' AND 'stakeholder' OR 'participation', conducted on 12 August 2020 on Taylor and Francis, ScienceDirect and SAGE Journals. We then sorted the compiled documents manually for relevance.</i></p>	<p>Fairgrieve (2017); Garcia-Sanabria <i>et al.</i> (2019); Henry <i>et al.</i> (2019); Pentz (2012); Saunders <i>et al.</i> (2017); Schultz-Zehden & Gee (2014); Stavros (2018)</p> <p><i>NB: DG-Mare funded transnational MSP projects which discuss participation</i> (https://ec.europa.eu/maritime-affairs/policy/maritime_spatial_planning_en) [Retrieved in August 2020]</p>

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